

IN THE UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF PENNSYLVANIA

IRVING MURRAY (PRO-SE),  
(PLAINTIFF)

VS.

JOHN E. WETZEL (ET AL.)  
(DEFENDANTS)

CIVIL ACTION  
NO. 3:17-CV-0491

JURY TRIAL DEMANDED  
(JUDGE CONABOY)  
DATED: 12/25/2017.

MOTION FOR IMMEDIATE COURT'S  
INVOLVEMENT DUE TO MEDICAL AND  
THEIR AGENTS / DEFENDANTS ACTING  
IN CONCERT RETALITORY CONDUCT  
PLAINTIFF REQUEST EMERGENCY  
RELIEF AND FUTURE DAMAGES  
AS A DIRECT RESOLUTION  
COMBINED BRIEF IN SUPPORT OF  
THIS EMERGENCY MOTION

And now, comes Plaintiff, Irving Murray  
with this Emergency Motion Compelling  
that this Court take immediate action  
against medical Defendants and those acting  
in concert with acts of unlawful retaliation.  
Plaintiff is in dire need of this court's  
immediate involvement. Correct Care Solutions  
employees under contract working here at  
the State Correctional Institution Mahanoy

are still following and defending risk-stratification and Interim Protocols in conjunction with now those acting in concert with defendants are retaliating both Dr. Courtney Rogers and deputy Superintendent B. Mason.

John Steinhart, Jessica Carey a non-defendant, S. Kaunum DR., K. Murray and Brenda Houser, Lieutenant Newberry C.O.3.

i. Even though it is very clear that that the Defendants and those all acting in concert still using illegal policies that have been deemed unconstitutional as defendants admits boldly that they will not administer medications for inmates with chronic HED-C., also now those acting in concert are now retaliating making threats to transfer plaintiff, placing plaintiff in Administrative lock-up for filing legitimate complaints of physical assaults upon his persons on November 9th 2017, writing bogus AC/Status report in order to keep plaintiff locked down 23 hours a day on Administrative custody status.

PLAINTIFF'S FACTUAL ARGUMENT

on December 9th, 2017, approx: 11:10am plaintiff was vomiting blood in his cell on BA-R.T.U. cell# 2063, and reported this to officer Smith on duty, officer Smith came to plaintiff's cell and opened up the cell door to see as to if plaintiff was actually vomiting blood as the officer clearly verified such and rushed down the steps to pick-up the phone to call medical, after his conversation on the phone with the nurse in which officer Smith C.O.I said that the nurse told him to tell me/plaintiff that there's nothing that they can do for me and to fill out a sickcall and maybe plaintiff will be seen in a few days officer Smith asked the nurse aren't you gonna examine him and take his vitals officer Smith was told "no" that they don't care or have time for plaintiff Murray because plaintiff likes to file things to the media and the courts tell him to put in a sickcall.

Plaintiff asked officer Smith C.O.I.  
what was the nures name he was on the  
phone with? C.O.I. Smith said that he  
don't know and couldn't tell me.

Plaintiff then decided to submit a  
DC-138A-Sick call Request only to be  
seen by Physician's Assistant Russell Miller  
and Physician Assistant Miller on Friday  
December 15th, 2017, examined plaintiff  
for blood in his stool and ordered meds  
for constipation and severe dry skin  
the vitamin E Lotion was ordered, and  
Miralax only to turn around and tell  
plaintiff that the medications were not  
ordered because Dr. Courtney Rodgers  
discontinued them and ordered PAC-Miller  
to do not order plaintiff murray any  
meds per- Dr. Courtney Rogers  
when plaintiff asked Physician Russell Miller  
as to why R. Miller clearly stated  
because Doctor Courtney Rogers stated  
that plaintiff gets nothing because of that  
damn Lawsuit he filed and because he  
attached that damn Human Rights Coalition  
Letter dated March 14<sup>th</sup> 2017 on to his  
Sickcall slip. and Plaintiff was charged  
5-70-10 dollars for a chronic care pre-existing

conditions and was not given any meds for severe constipation causing plaintiff pain and suffering and severe dry cracked bleeding painful skin condition see exhibits of sickcall whereas Dr. Courtney Rogers threatened to also discontinue plaintiff's seizure meds forcing plaintiff to sign a non-medication compliance form on December 20th, 2017, Subjecting plaintiff a life-threatening sleeping seizures ordering all his medical staff not to order plaintiff any K.O.P meds for his pain in his shoulder, his skin condition or his severe constipation and severe weight loss subjecting him to "Death". Also with defendants and those acting in concert discontinuing all of my seizure medication Phenobarbital in retaliation because of my litigation on trying to seek Direct Anti-viral Drugs life saving medications for Hep-C. as I'm denied the formulary list of available drugs for treating Hepatitis-C by Doctor Rogers as he's provided me exaggerated responses in plaintiff's written form DC-135A Inmates Request to staff member see, exhibit \_\_\_\_\_ of his reply attached hereto, this motion.

Plaintiff is seeking immediate help from the court.

It is quite clear that plaintiff is Dealing with Retaliation here.

as adverse action has and still is being taken against the plaintiff as plaintiff as it's evident that plaintiff was placed in administrative segregation on November 9th, 2017, for simply making an legitimate complaint of physical assault by his cellmate. Solely to punish me for filing a lawsuit. see, Cleggett v. Pate, 229 F. Supp. 818 (N.D.Ill. 1964). "campaign of harassment" Calhoun v. Hargone, 312 F.3d 730 (5th Cir. 2002); Witte v. Wisconsin, Dept. of Corrections, 434 F.3d 1031 (7th Cir. 2006). Gomez v. Vernon, 255 F.3d 1118 (9th Cir. 2001). It is possible -- but not easy -- to get a preliminary injunction to keep correctional officers from threatening or harming you or any of your witnesses in an upcoming trial. Valvano v. McGrath, 325 F. supp. 408 (E.D.N.Y. 1970). It is also a federal crime for state actors or those acting in concert (the Prison-officials) and (inmates) to threaten or assault witnesses or plaintiff in federal litigation. 18 U.S.C § 1512(a)(2).

## Retaliatory conduct

(A). Although state officials vehemently deny it, prisoners who speak out against prison conditions through media contacts, civil rights lawsuits or internal grievances are often subject to retaliatory conduct. This can range from annoying strip cell searches and denial of prison services to matters of a more serious nature, including Bogus misconduct administrative custody reports, prison retaliatory transfers, and parole rejections recommendations. In case ABU-Jamal v. Price, the Third Circuit court found that SCI-Breene Prison officials' opening reading and copying of confidential attorney-client mail of a former journalist mounting public pressure to do something about his writings was a constitutional violation. 154 F.3d 128, 134 (3d Cir. 1998). In Castle v. Clymer, the district court held that SCI-Dallas Prison officials were liable for the retaliatory prison transfer of a who made statements about prison conditions to the media. 15 F. Supp. 2d 640 666 (E.D. Pa. 1998). Other federal courts have found similar constitutional violations, suggesting that retaliatory conduct is a far

greater problem than state officials concede, See Trobaugh v. Hall, 176 F.3d 1087 (8th Cir. 1999), holding that prison officials liable for confining prisoner in isolation cell for filing grievances); Goff v. Burton, 91 F.3d 1788 (8th Cir. 1996) (prison officials liable for threats of retaliatory prison transfer of prisoner who brought civil rights action and injunction claiming overcrowding conditions). See, Milhouse v. Carlson, 652 F.2d 371, 373 (3d Cir. 1981) (conspiratorially planned disciplinary actions); Ferranti v. Moran, 618 F.2d 888, 892 (1st Cir. 1980) (denial of transfer and medical care); Plaintiff also adds that The Pennsylvania Department of Corrections (DOC), by policy and practice both "Risk-stratification" and Hepatitis-C Interim Protocols systematically denies necessary care, medical care for inmates like plaintiff diagnosed with fibrosis-1 (F1) with chronic Hepatitis C viral infections, thereby placing plaintiff intentionally at substantial and unnecessary risk for severe illness and death. See, Salvatore Chimenti v. Pa. Department of corr. Civil action No. 15-3333 / 2:15-cv-03333 JP.

yet the DOC and CCS rations these drugs in an arbitrary manner, and as of today and ongoing refuses to provide DAAD treatment to over 98% of inmates with chronic Hepatitis C in the Pa. DOC. The denial of these drugs is based (solely on their "cost") and without any medical justification. Plaintiff, Irving Murray, incarcerated in the Pennsylvania Dept. of Corrections with serious health complications stemming from Hepatitis C viral infections. The Defendants have repeatedly refuse to provide necessary medical treatment as well as a liver biopsies and Altrasound of the liver to plaintiff that is mandated by prevailing community medical standards and the constitutions and laws of the United States and Pennsylvania. Defendants DOCS Policy is without any doubt discriminatory and unconstitutional policy for treating Hepatitis C infections.

## RELIEF SOUGHT/REQUESTED

Due to the ongoing constant violations of plaintiffs constitutional rights as described herein this motion plaintiff seeks as follows:

1. Punitive Damages.
2. Compensatory Damages
3. DIRECT ACTING ANTI-VIRAL DRUGS
4. WHATEVER THE COURT DEEMS JUST AND EQUITABLE.

EXHIBITS ATTACHED NEXT PAGE

Description of exhibits: (A-thru-K)

Letters, DC-135A REQUEST TO STAFF Responses,

Being mailed to the Clerk of Court Peter J. Welsh, Esq. with a certificate of service attached after Exhibits A-thru-K See total of 11 pages of exhibits next page(A-K).



Human Rights Coalition  
4134 Lancaster Avenue  
Philadelphia, PA 19104  
[www.hrcalition.org](http://www.hrcalition.org)

Irving Murray KP 3561  
SCI-Mahanoy 301 Morea Road  
Frackville, PA 17932  
Date: March 14, 2017

Dear Mr. Murray:

Thank you for your correspondence. Your commitment to your people and Brother Mumia is admirable and, of course, shared by HRC.

In regards to your request for investigation we have a few follow up questions to ask and, some answers of our own.

First, SCI-Mahanoy's Superintendent Theresa DelBalso is another person to contact regarding this. If you can connect us with any loved ones or family on the outside, we can advise them on how to contact and what can be said during a conversation with Superintendent DelBalso. If you could send us their name and number and share our contact information with them, we can set up that conversation.

We are also ready and willing to contact DelBalso and others on your behalf if we have your permission to use your name and number in those requests. We must remind you of what you undoubtedly already know, that after we place pressure on DelBalso things may get worse for you before they get better. On the other hand, conditions also may get better before they get worse. This is a decision only you and yours can make.

Second, Mumia recently had a federal judge rule in his favor that Pennsylvania DOC must administer the hep-C antiviral medication. At this juncture, one must ask if our and your efforts are not better placed elsewhere. Your dedication to justice is fierce and no doubt can be useful in other manifestations of prison abuse.

We have the documents you sent us, and per your request, will send them back to you with this letter. Please forward response to the address at the top of the page with:  
Attention: Support Committee.

In Solidarity,

Human Rights Coalition

P.S. MR. MURRAY, ENCLOSED YOU WILL FIND YOUR DOCUMENTS, AS WELL.

DISCUSSIONS WITH COPY/ OFF SICK CALL PROOF OF DENTALS ETC.

## PRE-EXISTING ISSUES

### SICK CALL REQUEST SEIZURE MEDS / PAIN MEDS / HERP

MEDICAL ✓ KIM MURRAY IS REQUESTED TO SIGN UP FOR SICK CALL.  
**PROBLEM** I'D LIKE TO RE-ADDRESS CONCERN'S THAT WAS NOT ADDRESSED AT MY LAST CHRONIC CARE CLINIC TO DISCUSS BEING PLACED BACK ON MY PAIN MEDS FOR STOMACH PAINS, HEADACHES SHOULD BE PAGED FROM THE FALL OFF OF MY TOP BUNIC ALSO TO DISCUSS MED ISSUE WITH MY PHENOBARBITAL AND TO HAVE MY ICOP STINGS RESTORED ALSO MY SEVERE DRY SKIN AND CHRONIC CONSTIPATION AS I WAS DENIED BY DR. KIMMUM IN RETALIATION BECAUSE OF MY PENDING HCP LITIGATION IN COURT OVER CIVIL ACTION 3:17-CV-0491-INT-DR. D. GROTE DOCS POLICE. I UNDERSTAND THAT THIS SICK CALL VISIT MAY BE SUBJECT TO THE FEES CONTAINED IN REGULATION 37 PA CODE 93.12-SEQ.

FILL OUT SHADDED SECTIONS OF THE ATTACHED CASH SLIP.  
 REQUISITIONING INMATE'S NAME, INSTITUTIONAL NUMBER,  
 LOCATION & DATE. SIGN IN THE INMATE'S SIGNATURE SECTION  
 PLACE THIS REQUEST IN THE LOCKED MEDICAL SICK CALL BOX  
 ON THE HOUSING UNIT.

CC: U.S. DIST. COURT CLERK  
 ATTORNEY BRET D. GROTE DOCS  
 MAY 2016 U.S. DEPT. OF JUSTICE

CC: U.S. DIST. COURT CLERK  
 ATTORNEY BRET D. GROTE DOCS  
 BUREAU OF OCCUPATIONAL AFFAIRS

COMMONWEALTH OF PENNSYLVANIA DEPARTMENT OF CORRECTIONS		
INMATE MUST COMPLETE SHADED AREAS PRIOR TO REPLACING SICK CALL SLIP IN BOX		
<b>CASH SLIP</b>		
cc: JUDGE R. CONABOY PETER J. WIELSH, ESQ HUMAN RIGHTS COALITION/ DISABILITY RIGHTS NET		
1. REQUISITIONING INMATE'S NAME TRAVIS MURRAY		
INSTITUTIONAL NUMBER # KP3561	LOCATION BA - 63 cell	
DATE 12-14-17		
2. ITEMS TO BE CHARGED TO MY ACCOUNT		
Inmates are required by DC-ADM 820 to share in the cost of medical/dental services. Cash slips requires signature in order to be seen by the practitioner.		
\$ _____	Co-Payment fee \$5.00 for medical/dental services (Health Provider determination charge)	
\$ _____	Number of prescriptions _____ x \$5.00 Co-Payment for each prescriptions	
\$ _____ Total Co-Payment fee to be deducted from Inmate's account.		
3. INMATE'S SIGNATURE <i>Darren Murray</i>		
4. MEDICAL STAFF SIGNATURE		
5. BUSINESS OFFICER'S SPACE		
CHARGE ENTERED \$	DATE	BOOKKEEPER

Form DC-141 Part 1  
Rev 8/05COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF CORRECTIONS

B 965061

 MISCONDUCT REPORT  OTHER  DC-ADM 801 INFORMAL RESOLUTION

DC Number <b>KP3561</b>	Name <b>MURRAY, IRVING</b>	Institution <b>MAH.</b>	Incident Time 24 Hr. Base <b>N/A</b>	Incident Date <b>N/A</b>	Date of Report <b>11/9/17</b>
Quarters <b>HO 21</b>	Place of Incident <b>N/A</b>				

## OTHER INMATES OR STAFF INVOLVED OR WITNESSES (CHECK I OR W)

DC Number	Name	I	W	DC Number	Name	I	W

## MISCONDUCT CHARGE OR OTHER ACTION

*"Notice of Confinement"*

STAFF MEMBER'S VERSION You are being PLACED in AC STATUS PER DC ADM 802 VI B 1 F "THE INMATE IS UNDER INVESTIGATION for a violation of Facility Rules, AND THERE IS A NEED FOR INCREASED Control pending disposition of CHARGES or Completion of INVESTIGATIONS." "THIS IS NOT Disciplinary Custody."

## IMMEDIATE ACTION TAKEN AND REASON

*Inmate confined To the RRU, AC STATUS,**pending investigation and/or**advised by PAC*

PRE-HEARING CONFINEMENT		
IF YES		
NO	TIME <b>N/A</b>	DATE <b>N/A</b>
YES		

FORMS GIVEN TO INMATE  
*Request for Witnesses and Representation* *INMATE'S VERSION*

REPORTING STAFF MEMBER SIGNATURE AND TITLE <i>COT J.B. - / BACHERT</i>		ACTION REVIEWED AND APPROVED BY RANKING C.O. ON DUTY <i>Ranking CO (Penal)</i> SIGNATURE AND TITLE		DATE AND TIME INMATE GIVEN COPY DATE <b>11-4-17</b> TIME 24 HOUR BASE <b>2025</b>	
YOUR HEARING MAY BE SCHEDULED ANY TIME AFTER DATE <b>N/A</b> TIME <b>N/A</b>		MISCONDUCT CATEGORY <i>CLASS 1 CLASS 2</i>		Signature of Person Serving Notice	

## Notice To Inmate

You are scheduled for a hearing on the allegation on the date and time indicated or as soon thereafter as possible. You may remain silent if you wish. Anything you say shall be used against you both at the misconduct hearing and in a court of law, if this matter is referred for criminal prosecution. If you choose to remain silent, the hearing committee/examiner may use your silence as evidence against you. If you indicate that you wish to remain silent, you shall be asked no further questions. If you are found guilty of a Class 1 misconduct, any pre-release status you have shall be revoked.

WHITE — DC-15    YELLOW — Inmate    PINK — Reporting Staff Member    GOLDENROD — Deputy Superintendent Facility Management

EXHIBIT  
D

Form DC-135A

(S.G.I.M.)

## INMATE'S REQUEST TO STAFF MEMBER

MEDICAL DIRECTOR  
MEDICAL DOCTOR

1. To: (Name and Title of Officer)

DR. COURTNEY ROGERS

3. By: (Print Inmate Name and Number)

IRVING MURRAY #KP3561

Irving Murray

Inmate Signature

6. Work Assignment

CARE-TAKER

8. Subject: State your request completely but briefly. Give details.

DR. ROGERS MAY I PLEASE REQUEST FOR THE (CCS) RULES AND THE FORMULARY LIST OF AVAILABLE DRUGS FOR TREATING HEP-C?, ALSO MAY I ASK YOU WHAT IS MY FIBROSIS SCORE IF I HAVE (F-1) APRIL SCORE, AND BECAUSE THERE'S NO MEDICAL REASON FOR REFUSING THE HERC CARE I REQUEST THAT THIS BE REMEDIED. FAILURE TO DO SO WOULD BE DELIBERATE INDIFFERENCE TO A SERIOUS MEDICAL NEED. PLEASE TELL ME AS TO IF THE DRUGS COST \$94,000 OR 166,000 DOLLARS? AND AS TO IF THIS DRUG IS TO COSTLY TO TREAT ONE (1) INMATE WHO IS SOON TO BE RELEASED, SUCH AS MYSELF? PLEASE REPLY BAIC AS A COPY OF THIS SAME HAS BEEN FORWARDED TO THE COURT JUDGES CHAMBERS OF RICHARD P. CONABOY

9. Response: (This Section for Staff Response Only)

The protocol and formulary I am told is on the DC public website and can easily be found with a simple search. You have been seen in ITC clinic and by myself with requested information given. Please refer back to those visits.

To DC-14 CAR only To DC-14 CAR and DC-15 IRS 

Courtney Rodgers, DO

Staff Member Name

Print

Date

12/12/17

Revised July 2000

CC: HON. RICHARD P. CONABOY, JUDGE  
 HUMAN RIGHTS COALITION / PLN-ATLX'S  
 ATTY'S BRETT D. GROTE, ESQ., / U.S. DEPT. OF JUSTICE  
 WINER/NEWS / U.S. DEPT. OF JUSTICE

Form DC-135A

Commonwealth of Pennsylvania  
Department of Corrections

## INMATE'S REQUEST TO STAFF MEMBER

RECEIVED

CHRONIC CARE  
MEDICAL DOCTOR

DEC 07 2017

SCI Mahanoy

## INSTRUCTIONS

Complete items number 1-8. If you follow instructions in preparing your request, it can be responded to more promptly and intelligently.

1. To: (Name and Title of Officer)

S. KAUNUM CRNP

Health Care Administrator

3. By: (Print Inmate Name and Number)

IRVING MURRAY #1KP3561

Irving Murray

Inmate Signature

2. Date:

DECEMBER 8<sup>th</sup>, 2017

4. Counselor's Name

MR. MARTINO

5. Unit Manager's Name

MR. J. CAREY

6. Work Assignment

GLP

7. Housing Assignment

BA - RTU cell # 63

8. Subject: State your request completely but briefly. Give details.

Dr. S. KAUNUM I AM WRITING YOU BECAUSE I AM UNABLE TO TAKE MY SEIZURE MEDS EARLY IN THE MORNING SO THEREFORE I REQUEST THAT YOU PLEASE SWITCH EVERYTHING TO AT NIGHT 8 PM MEDS IT'S VERY HARD FOR ME TO GET UP IN THE MORNINGS AND TRAVEL IN THE COLD WEATHER EARLY IN THE MORNING PLEASE CHANGE MY MEDICATION DOSAGES TO ALL AT NIGHT

THANK YOU VERY MUCH

RESPECTFULLY SUBMITTED,

9. Response: (This Section for Staff Response Only)

Phenobarbital needs levels maintained, Phenobarb need to be administered twice daily if you sign up sick call to Drs

Med "Issue" per Dr Khanum

To DC-14 CAR only To DC-14 CAR and DC-15 IRS 

Staff Member Name

Kim Murray RD

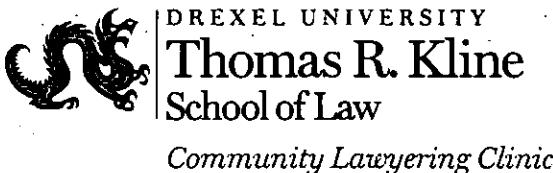
Date 12-11-17

Print

Sign

CC: U.S. Dist COURT JUDGE CONABOY

Revised July 2000



To: Irving Murray  
Date: September 26, 2017

Dear Mr. Murray,

Thank you for reaching out to us and I am sorry to hear about your struggles with Hepatitis C. With this letter, I have included the following requested documents:

- 3 copies of the 2017 Prison Legal News article entitled "Pennsylvania DOC Ordered to Evaluate Abu Jamal for Hep C Treatment"
- A copy of the case "Abu-Jamal v. Wetzel"
- A copy of Prison Medical Services Program §93.12

The Pennsylvania Institutional Law Project is working on a class action to try and compel the Department of Corrections to provide a new drug treatment to prisoners with Hepatitis C. I have also included a FiveThirtyEight article about this issue. If you are interested in getting involved in this case, please contact the managing attorney, Su Ming Yea, at the following address:

PA Institutional Law Project  
The Case Iron Building  
718 Arch Street, Suite 304 South  
Philadelphia, PA 19106

You can also reach the Institutional Law Project at 215-925-2966.

I hope this information is helpful to you. Please feel free to reach out if you have any questions or concerns.

Best,

Alice Thornewill  
  
Rachel Lopez, Esq.

DATED: NOVEMBER 14<sup>th</sup> 2017,

RECEIVED

RICHARD P. CONABOY, LTD.

NOV 13 2017

U.S. DISTRICT COURT

DEPUTY SUPERINTENDENT  
CENTRALIZED SERVICES

MIDDLE DISTRICT OF PENNA.

WILLIAM J. NEALON FED. COURTHOUSE

235 N. WASHINGTON AVENUE

POST OFFICE BOX 1148

SCRANTON, PA. 18501-1148

RE: CIVIL ACTION MURRAY V. WETZEL, et al.

No: 3:17-cv-0491 / Retaliatory conduct  
Against Plaintiff ETC. Denial Mental  
Health Programming AND Legal personal property  
~~Harmless self searches~~ ~~and confiscations~~

Dear your honorable Conaboy:

Just to give this court an update  
in re: motivated retaliation, defendants and  
their agents of the intelligence Security office  
namely Lt. Bachert, unitmanager J. Carey,  
Captain Powell, Deputy Supt. B. Mason,  
Lt. WALL, CO. II, and many others acting in  
concert with them has been moving from  
unit to unit setting me up in cell situations  
with potential violent inmates whereas  
on November 9, 2017 I was assaulted by my  
cellmate. when I was taken to medical I was  
then threatened by Lt. Newberry CO. 3. whereas  
he made a statement about transferring me to  
SCF-frackville because I like to file suits  
further, I was placed in confinement for reporting  
a physical attack upon my person. in other words I  
was harmed and for reporting the attack

I was punished and placed in the  
DTU/RTU cell # 21 on A/C status

And charged see Form DC-141

(B-9(5061)) And security refuses to  
talk to me to tell me how these  
charges and confinement came about.

I know that prisoners who speaks out  
about abuse at SCI-MAHANAY usually  
face backlash from administrative staff  
especially myself cause I have pending  
litigation against the prison Administration  
and the medical dept. So I am  
subject to dangers imminent dangers, the  
Security Lt. WALL C.O.3, moved me off of the  
RTU a couple weeks again placing me on a  
general population unit not specifying why  
he moved me from treatment and put me  
in the line of danger, unit manager

Ms. Jessica Carey stated to me on Wed Nov. 8<sup>th</sup>  
2017, that she and her CO-workers is not a fan  
of my Lawsuit so for that reason I will  
not get a job. I am providing defendant  
Deputy MASON with 2 copy, And I will ask  
her to release me back to RTU on AA or BA  
and keep me separated from Johnson my old  
cellmate Richardson, Williams, on BA, Stevie Boyd,  
on B/A and inmates on BB and AB unit  
and DA units I, J units, I'd like to be  
transferred back to SCI-Albion or Somerset  
or SCI-Rockview where I will be safer  
until trial starts, Defendants has mixed  
all of my legal property and personal property  
with my ex-cellmate who assaulted me and he refuse  
to give me back my property. And they refuse to give me my  
legal property.

Form DC-135A  <b>INMATE'S REQUEST TO STAFF MEMBER</b> <b>MAIL ROOM SUPERVISOR</b>		Commonwealth of Pennsylvania Department of Corrections
<b>INSTRUCTIONS</b> Complete items number 1-8. If you follow instructions in preparing your request, it can be responded to more promptly and intelligently.		
1. To: (Name and Title of Officer) <b>MS. F. WALTER</b>	2. Date: <b>FRIDAY</b> <b>DEC 1, 2017</b>	
3. By: (Print Inmate Name and Number) <b>SHIRLEY MURRAY #KP35612</b>	4. Counselor's Name <b>MR. C. DISKY</b>	
<b>Shirley Murray</b> Inmate Signature	5. Unit Manager's Name <b>MR. CARROLL</b>	
6. Work Assignment <b>GLP</b>	7. Housing Assignment <b>GENERAL CELL #18</b>	
8. Subject: State your request completely but briefly. Give details. <b>ON NOV. 27, 2017 I received mail legal mail returned to me cut opened when this mail never left the institution. This means my outgoing mail has been tampered with. I have a right to my legal mail being opened in my presence. The letter was clearly marked legal and addressed to attorney's for the medical dept. See, case Fontenay v. Beard 485 F. Supp. 2d 592 S93 (E.D. PA. 2007) The mail was addressed to Samuel H. Foreman In re: Civil Action 3:17-cv-0491. The mail never left the institution but was returned to me opened outside of my presence. Please do not provide me any exaggerated responses please address this problem.</b>		
9. Response: (This Section for Staff Response Only)  <b>For security reasons - anything going inside whether it left the institution or not is opened - You did not provide any proof showing the mailroom opened it - Was it stamped with an inspector #??</b>		

To DC-14 CAR only To DC-14 CAR and DC-15 IRS 

Staff Member Name

Print

Sign

Date

Form DC-135A <b>INMATE'S REQUEST TO STAFF MEMBER</b> <b>DEPUTY SUPERINTENDANT CENTRALIZED SERVICES (DSCS)</b>		Commonwealth of Pennsylvania Department of Corrections
<b>INSTRUCTIONS</b> Complete items number 1-8. If you follow instructions in preparing your request, it can be responded to more promptly and intelligently.		
1. To: (Name and Title of Officer) <b>MS. B. MASON</b>	2. Date: <b>THURSDAY NOVEMBER 16<sup>TH</sup>, 2017</b>	
3. By: (Print Inmate Name and Number) <b>IRVING MURRAY #KP3561</b> <i>Irving Murray</i> Inmate Signature	4. Counselor's Name <i> </i>	<b>RECEIVED</b>
5. Unit Manager's Name <b>MS. CAREY</b>	6. Work Assignment <b>N/A</b>	7. Housing Assignment <b>H/D / DTU CELL 21</b>
8. Subject: State your request completely but briefly. Give details. <b>MAY I PLEASE BE CONSIDERED FOR A TRANSFER AFTER THE INVESTIGATION IS COMPLETE I AM STILL CONFUSED AS TO WHY I AM BEING INVESTIGATED FOR REPORTING AN ASSAULT UPON ME I FOLLOWED FACILITY POLICY AND REPORTED THE ABUSE AND IT GOT ME IN LOCUPAC STATUS AND MAYBE A MISCONDUCT FOR REPORTING SURE, I'M DUE TO POSSIBLY BE RELEASE ON IMMEDIATE AUTHORITY REPARABLES SOON AND OR MY MAX NEXT YEAR IF AND WHEN I AM RELEASED FROM THE RACE I'D LIKE TO GO BACK TO B-A, OR BB, OR AA WHICH EVER BLOCK IS SAFER FOR ME I HAVE NO PROBLEMS WITH NONE OF THE OFFICERS OR WITH SHACKS OF THIS FACILITY IT JUST A HATED FULL OF INMATES +</b>		
9. Response: (This Section for Staff Response Only) <b>DISLICE AND DUNOT GET ALONG</b>		
<i>We can discuss at PRC</i>		
To DC-14 CAR only <input type="checkbox"/>		To DC-14 CAR and DC-15 IRS <input type="checkbox"/>

Staff Member Name \_\_\_\_\_ / \_\_\_\_\_ Date \_\_\_\_\_  
 Print \_\_\_\_\_ Sign \_\_\_\_\_

Revised July 2000 CC: Hon. JUDGE RICHARD P CONABY  
 HUMAN RIGHTS COALITION  
 U.S. DEPT. OF JUSTICE

J.

Form DC-135A

(SCI - MAIL)

## INMATE'S REQUEST TO STAFF MEMBER

DEPUTY SUPERINTENDANT  
CENTRAL SERVICES  
(DSCS)Commonwealth of Pennsylvania  
Department of Corrections

## INSTRUCTIONS

Complete items number 1-8. If you follow instructions in preparing your request, it can be responded to more promptly and intelligently.

1. To: (Name and Title of Officer)  
**MS. B. MASON**2. Date: **TUESDAY****NOVEMBER 14TH, 2017**3. By: (Print Inmate Name and Number)  
**IRVING MURRAY # KP3561**

4. Counselor's Name

**RECEIVED**Inmate Signature  
**Irving Murray**

5. Unit Manager's Name

**NOV 15 2017****MR. CARROLL**

DEPUTY SUPERINTENDENT

CENTRALIZED SERVICES

6. Work Assignment

7. Housing Assignment

**H-D 21-CELL**8. Subject: State your request completely but briefly. Give details. **Deputy mason****If I am gonna Be Back here Confined to the DTU/RHU under INVESTIGATION FOR REPORTING AN ASSAULT upon my persons, MAY I "Please" Request to have all et seq. of my legal property so I can meet any Discovery motions Deadlines and make sure I draft up copies by hand for all Defendants in Re:****Murray v. Wetzel, et al.  
Civil Action No: 3:17-cv-0491**

9. Response: (This Section for Staff Response Only)

**Write to the RRU Lt.****About getting your legal work**To DC-14 CAR only To DC-14 CAR and DC-15 IRS 

Staff Member Name \_\_\_\_\_

Print

Sign

Date

**bMasonOS** **11/20/17**

Form DC-135A  <b>INMATE'S REQUEST TO STAFF MEMBER SUPERINTENDANT'S ASSISTANT OFFICE</b>		Commonwealth of Pennsylvania Department of Corrections
<b>INSTRUCTIONS</b> Complete items number 1-8. If you follow instructions in preparing your request, it can be responded to more promptly and intelligently.		
1. To: (Name and Title of Officer) <b>MS. JANE HINMAN</b>	2. Date <b>MONDAY NOVEMBER 27, 2017</b>	
3. By: (Print Inmate Name and Number) <b>JERI JENI MURRAY #1CP3561</b>	4. Counselor's Name <b>CARO DISICK</b>	
<i>sliving Murray</i> Inmate Signature	5. Unit Manager's Name <b>MS. J. CARREY</b>	
6. Work Assignment <b>MISC/GLP</b>	7. Housing Assignment <b>SET-DT U CELL #18</b>	
8. Subject: State your request completely but briefly. Give details.  <i>MS. HINMAN I AM WRITING YOU TO REMIND YOU AS TO IF YOU CAN ASK DEPUTY MASON AS TO IF I WILL BE GETTING TRANSFERRED AFTER THE INVESTIGATION AND IF I CAN BE PLACED ON A/C STATUS SO THAT I CAN GO TO COMMISSARY BEFORE I AM TRANSFERRED AC STATUS. WHETHER I CAN ORDER FOOD ITEMS WHILE BACK HERE OR WITH I BE RELEASED BACK INTO GENERAL POPULATION RTU STATUS ON AA OR BA UNIT? BECAUSE SECURITY HAS NOT AS OF YET CAME TO SEE ME ABOUT THE INVESTIGATION IT'S BEEN (19) DAYS THAT I'M BEEN SITTING BACK HERE AND HAVE NOT RECEIVED A NOTICE OF EXTENTION OF TIME AS OF YET. PLEASE RESPOND BACK. THANK YOU VERY MUCH!</i>		
9. Response: (This Section for Staff Response Only)  <i>I will send this to Deputy Mason for you.</i>		
<input type="checkbox"/> To DC-14 CAR only		<input type="checkbox"/> To DC-14 CAR and DC-15 IRS

Staff Member Name \_\_\_\_\_ Date \_\_\_\_\_  
 Print \_\_\_\_\_ Sign \_\_\_\_\_

CC: U.S. MIDD. DIST. COURT JUDGE  
 WNEP-TV NEWS / HRE  
 ATTY BRETT D. GROTE, ESQ.  
 Revised July 2000

CC: Deputy Mason

IN THE UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF PENNSYLVANIA

IRVING MURRAY,  
(PLAINTIFF).

CIVIL NO. 03:17-cv-491  
JURY TRIAL DEMANDED  
(JUDGE CONABY)

v.  
JOHN E. WETZEL, et al.,  
(DEFENDANTS)

FILED: 12/25/2017  
ISI Irving Murray

CERTIFICATE OF SERVICE

I, Irving Murray, hereby certify that I am this 25<sup>th</sup> day of December 2017, depositing in the U.S. Mail a true and correct COPY of this foregoing MOTION FOR IMMEDIATE COURTS INVOLVEMENT DUE TO MEDICAL AND THEIR AGENTS /DEFENDANTS ACTING IN CONCERT UPON BOTH U.S. DISTRICT CLERK OF COURT PETER J. WELSH, ESQ. MIDDLE DIST. COURT 235 NORTH WASHINGTON AVENUE, P.O. BOX 1148, SCRANTON, PA 18501-1148 AND UPON VINCENT R. MAZESKI, ESQ. ASSISTANT COUNSEL I.D. NO. PA.73795 OFFICE OF CHIEF COUNSEL 1920 TECHNOLOGY PARKWAY MECHANICSBURG, PA. 17050. (717) 728-7763 11 page MOTION And thus satisfies the Service requirements under Fed. R. Civ. P. 5(b)(2)(E); L.R. 5.7. Irving Murray declares under penalty of perjury pursuant to 28 U.S.C. § that he has mail to both U.S. Clerk of Courts Peter J. Welsh, and chief counsel Vincent R. Mazeski, Esq. by placing the same in an envelope and placing it in the BA UNIT R.T.U. outgoing mail Box with DC-138A CASH-SLIPS AS Legal-Mail.

ISI Irving Murray  
IRVING MURRAY # KP3561  
(PRO-SE) 301-MOREA ROAD  
FRACKVILLE, PA. 17932-0001

DATED: December, 25<sup>th</sup> 2017

12-25-2017.

-11-

J.R. VINTING MURRAY & KIRKWOOD

RECEIVED  
PA 17932

RECEIVED  
SCRANTON

**INMATE MAIL  
PA DEPT OF  
CORRECTIONS**

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3  
2  
6

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RECEIVER DEF. THE CLECK OF  
UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF PENNSYLVANIA  
WILLIAM J. NEALON US DEPT  
235 NORTH WASHINGTON  
POST OFFICE BOX 1148  
SCRANTON, PA. 18501-114